

Message Text

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67

ACTION NRC-07

INFO OCT-01 EUR-12 ISO-00 L-03 ACDA-10 CIAE-00 INR-07

IO-13 NSAE-00 NSC-05 EB-07 OES-06 DODE-00 ERDA-07

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FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC PRIORITY 1127

UNCLAS OTTAWA 3802

E.O. 11652: N/A

TAGS: ENRG, CA

SUBJ: LIMITATION ON LIABILITY FOR NUCLEAR ACCIDENTS

REF: STATE 227205

1. FOLLOWING INFORMATION REGARDING QUESTIONS RAISED IN REFTEL WAS OBTAINED FOR EMBASSY BY CANADIAN DEPARTMENT OF EXTERNAL AFFAIRS LEGAL DIVISION, FROM THE ATOMIC ENERGY CONTROL BOARD.

2. CANADA DOES NOT AT PRESENT HAVE LAWS OR REGULATIONS LIMITING LIABILITY FOR NUCLEAR ACCIDENTS. HOWEVER, LEGISLATION HAS BEEN DRAFTED THAT IS EXPECTED TO BE PUT IN FORCE SOMETIME THIS YEAR. FOLLOWING SUB-PARAGRAPHS ARE KEYED TO QUESTIONS IN PARAGRAPH 1 OF REFTEL AND DESCRIBE PROVISIONS OF PROPOSED CANADIAN LEGISLATION:

A. CANADA WILL LIMIT THE LIABILITY OF NUCLEAR POWER PLANT OPERATORS FOR NUCLEAR ACCIDENTS. THE LIMIT ON LIABILITY IS TO BE \$75 MILLION.

B. NUCLEAR POWER PLANTS WILL BE REQUIRED TO OBTAIN INSURANCE UP TO A MAXIMUM OF \$75 MILLION DEPENDING UPON THE SENSITIVITY OF THE NUCLEAR OPERATION AND LIKELY EXTENT OF DAMAGE IN THE EVENT OF AN ACCIDENT. THEREFORE,
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SOME NUCLEAR FACILITIES OTHER THAN POWER PLANTS, SUCH

AS FUEL PROCESSING PLANTS, WILL NOT BE REQUIRED TO
CARRY THE FULL \$75 MILLION INSURANCE. INSURANCE
UNDERWRITING WILL BE DONE BY PRIVATE INSURANCE FIRMS
WITH SUPPORT OF GOVERNMENT REINSURANCE.

C. IN THE EVENT OF AN ACCIDENT WHERE DAMAGES ARE
GREATER THAN \$75 MILLION, PROPOSED CANADIAN LEGISLATION
WILL ESTABLISH A GOVERNMENT COMMISSION TO ADJUDICATE
AWARDS BY GOVERNMENT GREATER THAN THAT AMOUNT. FINAL
DECISION OF AMOUNT AWARDED WOULD, HOWEVER, REST WITH
THE PARLIAMENT.

3. EMBASSY POUCHING COPY OF PROPOSED LEGISLATION.
ENDERS

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